United Nations S/2013/503

Security Council

Distr.: General
22 August 2013

Original: English

Small arms

Report of the Secretary-General

Summary

The present report builds on the 2011 report of the Secretary-General on small arms (S/2011/255) and updates the Security Council on a number of topics that are within its specific purview. These include current and emerging concerns on the issue of illicit small arms that have an impact on peace and security around the world, in particular in Africa, the protection of civilians in armed conflict and sexual violence in conflict.

In addition, the present report provides information on measures taken to address the challenge of illicit small arms. Efforts to address this issue through United Nations peacekeeping, political and peacebuilding missions are assessed and mechanisms to further assist States in meeting their obligation to enforce arms embargoes are highlighted.

In considering problems relating to the unregulated circulation of small arms, it remains essential to focus on integrated policy approaches. Therefore, the report contains 15 recommendations, including some aimed at fostering synergies between relevant stakeholders.

13-42500 (E) 030913

Please recycle

I. Introduction

1. In 2007, the Security Council requested that the Secretary-General submit to it on a biennial basis a report on the issue of small arms (S/PRST/2007/24). This is the third report submitted in response to that request (see S/2008/258 and S/2011/255).

2. The present report takes stock of current and emerging concerns in the control and regulation of small arms, in particular in relation to the issues under the purview of the Security Council, and provides an analysis of measures taken to address those concerns. It pays particular attention to the reports provided by the groups of experts of the sanctions committees of the Council. As requested by the Council, the report includes my observations on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the work of the United Nations to assist States in doing so.

3. Throughout the world, in situations of conflict and post-conflict, acts of violence are carried out using small arms and light weapons, which are widely available owing to a lucrative illicit trade in such goods and poor regulation and controls, including of government stockpiles. The uncontrolled proliferation of such weaponry continues to undermine international peace and security and has a devastating impact on civilians in armed conflict, with women and children often bearing the brunt of that impact. The emergence of new enterprises offering maritime security services as a result of an increase in piracy and the proliferation of not only small arms but also heavy weaponry involving terrorist networks in contravention of Security Council resolution 1373 (2001) are additional worrying trends. Many African countries continue to be particularly affected by the adverse consequences of the illicit trade in small arms and light weapons, with new hotspots emerging and new flows of weapons threatening the fragile stability of areas still recovering from past conflicts or of countries facing escalating political tensions.

Peace and security in Africa

4. Africa loses billions of dollars every year because of conflict and insecurity. The per capita gross domestic product of affected countries shows serious decline, which has a demonstrable ripple effect on their neighbours.[1]

5. Since I submitted my previous report on small arms to the Security Council, several countries in the Sahel have become more vulnerable as a result of armed conflict, societal upheaval, a lack of governmental control over army and police stockpiles, terrorist activities, trafficking and related organized crime. In this regard, the Council has underscored the importance of a coherent, comprehensive and coordinated approach encompassing governance, security, humanitarian, human rights and developmental aspects (S/PRST/2013/10).

6. A wide range of weapons[2] from arsenals previously held by the Government of Libya have been appropriated by armed groups in Libya or have been scattered

[1] Paul Collier and Anke Hoeffler, "The challenge of reducing the global incidence of war", paper prepared for the Copenhagen Consensus 2004 project, March 2004. Available from www.copenhagenconsensus.com/sites/default/files/CP%2B-%2BConflicts%2BFINISHED.pdf.

[2] Including rocket-propelled grenades, recoilless rifles, multiple-launch rocket systems, surface-to-air missiles, man-portable air defence systems, anti-tank guided missile systems and modern assault rifles. See also the report of the Secretary-General on causes of conflict and the promotion of durable peace and sustainable development in Africa (A/67/205-S/2012/715).

across the Sahel and beyond, putting the entire region at risk of destabilization (see Security Council resolution 2017 (2011)). Criminal groups in the region have taken the opportunity to increase recruitment efforts and create local support networks for gathering information and supplying arms and ammunition, further facilitating transnational forms of organized crime, such as human and drug trafficking (see A/67/205-S/2012/715). Libyan arms, ammunition and explosives seem to have made their way to as many as 12 countries in the Maghreb, Sahel and Levant regions, as well as the Horn of Africa. The bulk of this weaponry has flowed towards the Sahel and Egypt. There are also indications of transfers to the Gaza Strip and the Syrian Arab Republic (see S/2013/99).

7. At the same time, the northern regions of Mali have been characterized by acute insecurity, often manifested in high levels of armed robbery, kidnapping and other militia activity. Drug trafficking and the formation of terrorist groups have also been noted. While the presence of terrorist groups in Mali has created a new dynamic in terms of local and international security, older forms of insecurity remain relevant. According to the Stockholm International Peace Research Institute, the combination of these old and new threats has fuelled the demand for and proliferation of small arms and light weapons.

Recommendation 1

In the context of taking measures to prevent the proliferation of arms, the Security Council should, in mandating any peacekeeping operation, planning post-conflict peacebuilding and considering the possible lifting of an arms embargo, take into consideration the capacity of States to exert effective control over their existing arms and ammunition stockpiles and future imports with a view to preventing such weapons from being diverted to the illicit market.

West Africa

8. Of particular concern in West Africa is the fact that some of the weapons used in the Ivorian conflict remain unaccounted for. According to the National Commission to Combat the Proliferation and Illicit Circulation of Small Arms and Light Weapons of Côte d'Ivoire, these unaccounted for weapons pose a threat to the stability of the western parts of the country bordering Liberia. Some may find their way, along illicit trading routes across the northern border of Côte d'Ivoire to Mali or across the country's eastern border to Ghana and from there to other countries in the subregion. The lack of appropriate regulation of the use of small arms by private security companies is another potential security threat. Moreover, West Africa continues to be a key transit route for drugs, which has led to lawlessness and severe problems linked to the availability of illicit weapons in some countries, for example Guinea-Bissau. The potential for instability and a deterioration of the situation in terms of peace and security demands more effective strategies, in line with the principle of shared responsibility between transit and receiving countries,[3] in

[3] United Nations Office on Drugs and Crime, *The Transatlantic Cocaine Market* (2011, Vienna). Available from www.unodc.org/documents/data-and-analysis/Studies/Transatlantic_cocaine_market.pdf.

particular because infiltration by terrorist groups and transnational organized crime networks in the region siphons off huge amounts of resources that could otherwise be devoted to sustainable development (see A/67/205-S/2012/715, para. 79).

Piracy and private security companies

9. Illicit shipments of arms do not occur only before or during conflict: over the years, they can form a lucrative enterprise[4] that ends up saturating a region with weaponry, creating additional opportunities for illegal activity. The arsenals of the pirates operating in the western Indian Ocean and the Gulf of Aden are a case in point. Ironically, piracy off the coast of Somalia has led private maritime security companies that offer armed protection to ships and crews to engage in unmonitored and largely unregulated activities. This profitable business has expanded beyond the provision of armed escorts to the leasing of arms, ammunition and security equipment and the establishment of floating armouries that operate in international waters beyond the remit of any effective international regulatory authority (see S/2012/544).

10. Private maritime security companies in the area currently hold thousands of weapons, which are either owned or leased. Not all the activities of these companies are illegal and such enterprises exist in different forms in various countries and regions. But the absence of control and inspection of armed activities inevitably creates opportunities for illegality and abuse, and increases the risk of the maritime security industry being exploited by criminals, eventually coming to represent a threat to regional peace and security, rather than part of the solution (see S/2012/544, para. 74). I welcome the Code of Conduct concerning the Prevention and Repression of Piracy, Armed Robbery against Ships and Illegal Maritime Activities in West and Central Africa adopted at the summit on maritime safety and security of the Heads of State and Government of the Economic Community of Central African States, the Economic Community of West African States and the Commission of the Gulf of Guinea, held in Yaoundé on 24 and 25 June 2013.

Stockpile management

11. As indicated in my previous report, stockpile management and control has emerged as one of the greatest challenges relating to small arms (see S/2011/255, para. 27). The ramifications of stockpile diversion are broad and wide-ranging: poorly managed government stockpiles remain prominent sources of illegal small arms circulating both within a country and across borders. Explosives or detonating cords can be stolen and used in the manufacture of improvised explosive devices, potentially contributing to terrorist activities. In the context of peacekeeping operations, the diversion of arms and ammunition from stockpiles of troop-contributing countries or from collected weapons creates additional force protection issues for peacekeepers, making an already challenging job more difficult. Poorly managed ammunition stockpiles pose an additional risk of explosion at great cost to human life, livelihoods and the environment.[5] Putting in place sound stockpile

[4] Mridulya Narasimhan, "Arms for alms: Africa and its story of illicit trade in small arms" (Consultancy Africa Intelligence, 4 March 2013). Available from www.consultancyafrica.com/index.php?option=com_content&view=article&id=1242:arms-for-alms-africa-and-its-story-of-illicit-trade-in-small-arms&catid=87:african-finance-a-economy&Itemid=294.

[5] The number of reported unintended explosions of ammunition stockpiles happening around the world is on the rise. According to the Small Arms Survey, over 700 fatalities and more than 3,000 injuries have occurred from such explosions during the past two years alone.

management practices is therefore a key measure in mitigating the proliferation of arms and ammunition, which is a driver of conflict, and improving the safety and security of civilians.

12. Examples of difficulties linked to poorly managed government arms depots abound. Having recognized that the management of arms continues to pose a formidable challenge in the Democratic Republic of the Congo, the Security Council has encouraged the Government to enhance stockpile security, accountability and management of arms and ammunition, with the assistance of international partners as necessary and requested, and to urgently implement a national weapons marking programme, in particular for State-owned firearms, in line with the standards established in the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa and by the Regional Centre on Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States (see Council resolution 2078 (2012)). In Libya too, stockpile management remains a major challenge for the containment of arms proliferation within and from the country. Likewise, as highlighted in my report on the situation in Mali, weapons-related stockpile management in that country continues to be an urgent issue that needs to be addressed (see S/2013/338, para. 28).

13. In this regard, I welcome the action of the Security Council to recognize that States require additional assistance in stockpile management. The Council has mandated the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) to assist the Malian transitional authorities in mine action and weapons and ammunition management through training and other support (see resolution 2100 (2013)). The Council has also encouraged the United Nations Operation in Côte d'Ivoire (UNOCI) to continue to assist the host Government in collecting and storing arms and registering all relevant information related to those arms (see resolutions 2101 (2013) and 2112 (2013)).

14. The International Ammunition Technical Guidelines, which provide guidance for ammunition management, including storage and destruction, should be applied when putting in place stockpile management practices.[6] Likewise, the International Small Arms Control Standards, which the United Nations launched in 2012 and which include practical guidance on weapons collection and destruction, stockpile management, marking, record-keeping and tracing, should also be utilized.[7]

New technologies for stockpile management

15. In the context of stockpile management, innovative ways of addressing the management of weapons in conflict areas are now technologically feasible. Options include the use of technologies that make it possible to personalize and track weapons and to curb the diversion and misuse of small arms in conflict, post-conflict and crisis settings. I encourage the United Nations, Member States, international and regional organizations, non-governmental organizations and representatives of

[6] The development of the Guidelines was recommended by the Group of Governmental Experts established pursuant to General Assembly resolution 61/72 to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus (see A/63/182) and mandated by the Assembly (see resolutions 63/61 and 66/42). They are available from www.un.org/disarmament/convarms/Ammunition.

[7] See www.smallarmsstandards.org.

industry to engage in further dialogue on these emerging technologies and their potential application in conflict, post-conflict and crisis settings.

Recommendation 2

I encourage all Member States to make every effort to secure arms and ammunition stockpiles from diversion. I encourage the Security Council to ensure that peacekeeping and peacebuilding missions are mandated to assist host countries in their stockpile management. Existing standards such the International Ammunition Technical Guidelines developed under the "Safer*Guard*" programme and the International Small Arms Control Standards should be fully utilized in arms and ammunition stockpile management practices. Member States in a position to do so should consider providing technical and financial assistance in this regard.

Recommendation 3

The Security Council should consider, on a case-by-case basis, the relevance of new technologies, such as time limitation or geographical limitation devices, or biometric or radio frequency identification, to improve weapons stockpile management and reduce diversion of weapons into illicit use. A main hurdle for equipping weapons with such devices is their limited commercial viability. I encourage Member States that are in a position to do so to support further initiatives on the development and use of such technology.

Protection of civilians in armed conflict

16. The vast majority of direct conflict deaths are attributable to the use of small arms. Sadly, civilian populations, including women and children, all too often find themselves in crossfire that results in senseless bloodshed and forced displacement (see Security Council resolution 1325 (2000)). Conflict dynamics in certain countries, such as the Democratic Republic of the Congo, Mali, Somalia and the Syrian Arab Republic, where small arms are in ready supply, have resulted in the large-scale displacement of civilians from their homes and served to keep many refugees and internally displaced persons in situations of protracted exile, in violation of the fundamental human right of voluntary return.

Children and armed conflict

17. In my 2013 report on children and armed conflict, I highlighted the grave violations perpetrated against children in situations on the agenda of the Security Council (see A/67/845-S/2013/245).

18. In recent years, United Nations child protection actors have noted with concern that the evolving character of and tactics used in armed conflict are posing unprecedented threats to children. The absence of clear front lines and identifiable

opponents, and the increasing use of terror tactics by some armed groups, have made children more vulnerable. Children are being used as suicide bombers and human shields, while schools continue to be attacked, affecting girls' education in particular, and to be used for military purposes. Drone strikes have resulted in child casualties and had a serious impact on the psychosocial health of children. Moreover, some children are being detained for alleged association with armed groups (see A/67/845-S/2013/245).

Sexual violence in conflict

19. Armed conflict often has a negative impact on gender roles and relations. In many cases, conflict disrupts traditional gender roles, contributing to the break-up of families and the social fabric of the community. It increases vulnerability, in particular among men and women who are victims of war, and leads to the perpetration of violence against and abuse of children, including young boys, who can be subjected to forced recruitment by armies or militia forces, forced labour, trafficking and sexual violence.

20. In its resolution 1325 (2000), the Security Council expressed concern that civilians, particularly women and children, accounted for the vast majority of those adversely affected by armed conflict and were increasingly targeted by combatants and armed elements. The Commission on the Status of Women recognized, in its report on its fifty-seventh session, held from 5 to 14 March 2013, that the illicit use of and illicit trade in small arms and light weapons aggravated violence, inter alia, against women and girls (see E/2013/27, para. 25). Attention should be paid to women, who suffer disproportionately from the effects of violent conflict: an abundance of uncontrolled weapons and a context of lawlessness lead to increases in gender-based violence, which includes rape, abduction into sexual slavery and trafficking.

21. In my report on sexual violence in conflict of 14 March 2013, I noted that the experiences in the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo and South Sudan highlight the correlation between sexual violence and flawed disarmament, demobilization and reintegration and security sector reform programmes. For example, incidents of sexual violence have occurred where improperly vetted or trained security forces or ex-combatants have been redeployed in proximity to civilian centres. There have been instances of former armed group members deserting the national army and perpetrating sexual violence following failed integration initiatives. The exclusion of certain armed groups from disarmament, demobilization and reintegration and security sector reform programmes in the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo and South Sudan constitutes a significant threat to communities, as these groups continue to play de facto security management roles in areas of weak State authority (see A/67/792-S/2013/149, para. 7).

22. The Security Council has recognized that the control of and reduction in the availability of illicit small arms and light weapons are key elements for the protection of civilians in armed conflict. In 2010, the Council adopted an updated aide-memoire on this issue, in which enhanced practical cooperation among relevant entities on the issue of illicit small arms and ammunition was encouraged (see S/PRST/2010/25, annex).

23. I am also encouraged by the work of the Security Council informal expert group on the protection of civilians, established in 2009, to facilitate discussions on

the issue of protection in country-specific situations. The informal expert group may wish to recommend to the Council that it take action to address the nexus between illicit arms flows and the protection of civilians in armed conflict and to engage further with relevant United Nations entities in that regard.

Recommendation 4

Given the linkages between illicit arms flows and the protection of civilians and, in particular, the impact of small arms misuse on women and children, I encourage regular information exchange between the informal expert group on the protection of civilians of the Security Council, the Office for Disarmament Affairs and other relevant United Nations entities, as appropriate, including the Office of the Special Representative for Children and Armed Conflict, the Office of the Special Representative on Sexual Violence in Conflict, the United Nations Children's Fund and the United Nations Entity for Gender Equality and the Empowerment of Women. I also encourage the informal expert group on the protection of civilians to consider ways in which relevant Council resolutions might better respond to challenges relating to the protection of civilians, in particular women and children, in situations created or exacerbated by illicit arms flows.

II. Addressing the challenge of illicit small arms

24. Some of the illicit weapons that are reaching warlords, pirates, terrorists and criminal organizations are produced by illegal manufacturing outfits, but most of those arms are diverted from government stockpiles (recycling arms used in previous conflicts in the State concerned or in neighbouring countries), State-sponsored supplies to proxies or strategic caches of arms stored in anticipation of conflict. Diversion may occur as a result of transfers without proper controls, unauthorized re-transfers, thefts from poorly secured stockpiles, handouts to armed groups or barters involving natural resources. Corruption is another problem that is often associated with diversion. When international arms transfers are not regulated adequately, it is easier for arms to be diverted to the illicit market.

Arms Trade Treaty

25. On 2 April 2013, the General Assembly adopted the Arms Trade Treaty (see resolution 67/234 B). The Treaty, which also deals with small arms, complements existing global and regional instruments for the control and regulation of conventional small arms (e.g. the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons; the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime; and the Register of Conventional Arms).

26. The Arms Trade Treaty clearly prohibits its States parties from authorizing transfers of arms or ammunition that would violate their obligations under measures adopted by the Security Council acting under Chapter VII of the Charter of the United Nations, in particular arms embargoes. It also prohibits States parties from authorizing transfers if the State party has knowledge at the time of authorization that the transferred weaponry would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or other war crimes as defined by international agreements to which it is a party.

27. Moreover, the Treaty states that, prior to authorizing exports of conventional arms, ammunition and parts and components covered by the Treaty, the exporting State party must assess the risk that those items could be used to commit serious violations of international humanitarian law or international human rights law or to facilitate transnational organized crime. In undertaking the risk assessment, the exporting State party shall also take into account the risk of the exported items being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children.

28. Importantly, States parties to the Treaty will have a legal obligation to take measures to regulate the transit and trans-shipment of and brokering in conventional arms, as well as measures to prevent the diversion of arms and ammunition. Such measures, which will supplement similar recommendations or provisions contained in other instruments, could go a long way towards preventing the supply of small arms and ammunition to illicit markets as a result of diversion or illicit brokering activities.

29. I note with satisfaction that in the three months after the Treaty was opened for signature, well over one third of States signed it. The United Nations will remain steadfast in its support of this landmark Treaty by working towards its early entry into force and supporting its full implementation.

30. The arms trade touches on many core interests of States. The adoption of the Treaty is a clear indication that States have been willing to compromise and make concessions for the sake of international peace and security. Through this historic Treaty, Governments have demonstrated their willingness to ensure that the legitimate arms trade does not fuel violence and armed conflicts or become an inadvertent source for the illicit trade.

31. As with any multilateral treaty, the goal of universal participation will take years, if not decades, to reach. It is hoped, however, that, in view of the overwhelming support that the international community (from Governments to regional and international organizations and civil society) has provided to the Treaty, all States will act responsibly when it comes to engaging in international transactions in conventional arms.

Recommendation 5

I encourage Member States that have not done so to sign and ratify the Arms Trade Treaty as soon as possible in order to ensure its early entry into force and subsequent implementation. I urge Member States in a position to do so to provide capacity-building assistance in this regard.

Supporting arms embargo monitoring efforts

32. Through the imposition of Security Council arms embargoes, the supply of arms to conflict and post-conflict areas can be regulated and monitored by panels of experts established by the sanction committees of the Council. The work of the sanctions committees has shed considerable light on arms and ammunition trafficking routes. Recent examples drawn from reports of the panels of experts include the illicit delivery of weapons and ammunition from Burkina Faso to armed groups in Côte d'Ivoire (see S/2013/228), the delivery or provision of arms from Rwanda and Uganda to armed groups in the Democratic Republic of the Congo (S/2012/843), arms trafficking through networks from western Eritrea through the Sudan to Palestinian brokers in Egypt (S/2012/545) and the trafficking in arms from Libya to Egypt and the Sahel, as well as the Syrian Arab Republic and Chad (S/2013/99).

33. Illegal arms deals can lead to shipments that span the range from local to intercontinental. Unscrupulous brokers often operate from multiple countries, providing financing and transportation arrangements as part of the package. Many are global operators who service several conflict areas. Security Council sanctions committees and their panels of experts need to be adequately equipped to cover these realities by exchanging information, learning from the work of past panels and coordinating efforts so that more effective solutions can be found to the global challenge of small arms proliferation, in particular to embargoed entities.

34. Panels of experts typically include only one arms expert. This limited capacity makes it challenging for the panels to monitor arms flows to and from an embargoed country. Peacekeeping operations could provide additional support, where relevant. Also, the informal roster of arms and ammunition experts of the Office for Disarmament Affairs may be drawn upon to support the work of the sanctions committees.

35. Four peacekeeping missions — the United Nations Operation in Côte d'Ivoire (UNOCI), the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Mission in Liberia (UNMIL) and the United Nations Mission in South Sudan (UNMISS) — have been mandated by the Security Council to assist in monitoring the implementation of arms embargoes or of the arms provisions of peace agreements. In addition, MONUSCO and UNOCI have been mandated to collect or seize arms and related materiel that are in breach of sanctions and to dispose of them in an appropriate manner.

36. In UNOCI, the Integrated Embargo Monitoring Unit was established to monitor the implementation of the embargo pursuant to Security Council resolution 2045 (2012). In that same resolution, the Council reaffirmed that UNOCI may, within the borders of Côte d'Ivoire, inspect all sites and equipment of relevance to the embargo, when necessary and appropriate without notice. UNOCI also assists the Group of Experts on Côte d'Ivoire when the Group is in the country.

37. During the course of one year, UNOCI conducted more than 600 inspections of installations and sites of armed State actors in Côte d'Ivoire. In parallel, the UNOCI Integrated Embargo Monitoring Unit conducted eight additional inspections that targeted particular material of interest, screened several hundred transport documents at Abidjan airports and seaports, and documented arms and ammunition at some 20 events on the collection of weapons and the disarmament of ex-combatants. UNOCI established some 60 case files and analytical reports regarding potential embargo violations that had been identified through the analysis of documented material.

38. UNOCI has also drawn up arms and ammunition profiles for Côte d'Ivoire. The profiles list types and models of arms and ammunition samples on the basis of their producer and year-of-production codes, as relevant. The profiles strengthen the capacity of UNOCI to identify possible embargo violations, even those involving material produced prior to the imposition of the United Nations arms embargo and illicit cross-border flows of arms and ammunition.

39. In addition, since the enforcement of arms embargoes is the obligation of all Member States, it would be desirable if all peacekeeping, peacebuilding and relevant political missions were mandated and equipped to assist their host countries, in particular those that border a country subject to an arms embargo, in fulfilling obligations to enforce arms embargoes.

Recommendation 6

Because illicit arms and ammunition movements do not occur within the purview of only one arms embargo monitoring group and in order to better connect relevant data and discern proliferation patterns, I urge the Security Council and its sanctions committees, and all Member States, to ensure that the groups of experts receive the support they require to obtain, share and exchange information effectively.

Recommendation 7

I encourage the Security Council sanctions committees, given the critical importance of the arms component of their work, to make full use of the roster of arms and ammunition of the Office for Disarmament Affairs, including for the selection of arms experts to serve in expert groups or for the provision of additional support to arms experts.

Recommendation 8

While the mandate of each peacekeeping, political and peacebuilding mission is specific to the needs and situation of the country concerned, building upon the existing good practice in UNOCI, the Security Council may wish to task United Nations missions operating in countries where arms embargoes are in place with establishing embargo monitoring cells and to assist host Governments in complying with arms embargo obligations and enhancing cooperation with other missions in this respect.

Recommendation 9

The Security Council may wish to call for increased assistance for States bordering a country where an arms embargo is in place. If these bordering States themselves host a United Nations peacekeeping, political or peacebuilding mission, the Council should mandate these missions to assist their host Governments in complying with their arms embargo obligations by, inter alia, setting up arms and ammunition management cells.

Assisting States in enforcing arms embargoes

40. The Panel of Experts established pursuant to resolution 1929 (2010) has noted that a challenge for Member States is the limited guidance that Security Council resolutions provide with regard to the requirements for the disposal of seized items in the context of arms embargo enforcement (see S/2013/331, para. 160).

41. Moreover, some types of seized items, especially those containing munitions, could explode unintentionally. In 2009, explosives from a ship carrying illicit materiel in breach of United Nations sanctions were seized in Cyprus and stored. In 2011, a fire ignited about 100 containers holding the confiscated explosives, resulting in 12 fatalities.

42. Quick assistance should be provided to national authorities and arms embargo experts to address seized goods, particularly those at risk of explosion. The "Safer*Guard*" programme for ammunition management includes a mechanism that facilitates the deployment of ammunition experts in response to urgent requests for help in addressing high-risk ammunition stockpiles.[8]

Recommendation 10

The Security Council may wish to encourage States to make use of existing tools, such as the "Safer*Guard*" quick-response mechanism, which allows for the rapid deployment of experts to assist in ammunition handling, evidence collection and disposal, where requested, to assist them in enforcing arms embargoes. The use of other tools to assist States in enforcing arms embargoes, such as those developed by the International Criminal Police Organization (INTERPOL), should also be encouraged.

[8] The "Safer*Guard*" programme oversees the implementation of the International Ammunition Technical Guidelines, which are international standards on ammunition stockpile management developed pursuant to General Assembly resolution 63/61 (see also A/63/182, para. 54). The completion of the Guidelines and the establishment of the "Safer*Guard*" programme were welcomed by the Assembly in its resolution 66/42, adopted in 2012. See www.un.org/disarmament/convarms/Ammunition.

Taking small arms out of circulation: disarmament, demobilization and reintegration and security sector reform programmes

43. Demand for small arms is driven by a wide range of factors, including social, economic and political insecurity; weak or corrupt government or law enforcement; inadequate opportunities for education and economic development; failure of States to protect the vulnerable; social and economic disparities; disputes over natural resources; ethnic conflicts; inadequate post-conflict disarmament; and cultures of violence.[9]

44. Increasingly, conflict and post-conflict environments are characterized by a proliferation of irregular armed groups, including militias, criminal networks, self-defence groups, unregulated private security companies and other non-State actors. The mandates of United Nations peacekeeping, political and peacebuilding missions often include the design and implementation of programmes for the disarmament, demobilization and reintegration of former combatants and the reform of the host country's security sector. However, if illicit weapons continue to be easily accessible to armed groups and civilians in post-conflict situations, the risk of relapse into conflict will remain high and the prospects of building a sustainable peace will diminish even if efforts are made to dismantle armed groups and movements. It is therefore vital that traditional arms control measures be combined and integrated with disarmament, demobilization and reintegration and security sector reform measures while interventions are put in place to target the supply of and demand for weapons.

45. United Nations peacekeeping, political and peacebuilding missions should work closely with relevant United Nations entities, regional organizations and civil society to support host countries' efforts to implement commitments under existing global and regional conventional arms control instruments and to put in place longer-term arms control measures, such as the development of effective import and export control systems, the establishment of small arms national coordinating bodies and national legal instruments for managing weapons, the development of weapons marking, record-keeping and tracing capacities, as well as of adequate stockpile management systems. Already at the planning stage, such missions should consider the need to develop comprehensive policies and the necessary infrastructure for the effective implementation of small arms control instruments.

Recommendation 11

The Security Council is encouraged to mandate United Nations peacekeeping, political and peacebuilding missions, in particular with respect to the disarmament aspects of disarmament, demobilization and reintegration and security sector reform programmes, to support host countries' efforts to implement their commitments under relevant global and regional conventional arms control instruments, including the development of capacities to put in place longer-term arms control and regulation measures. Such support should be considered when planning integrated peace operations missions, as well as in the

[9] See, for example, Ernie Regehr, "Reducing the demand for small arms and light weapons: priorities for the international community" (Project Ploughshares, July 2004). Available from http://ploughshares.ca/wp-content/uploads/2012/08/WP4.2.pdf.

day-to-day operations of the missions. To this effect, use should be made of the International Small Arms Control Standards developed by the Coordinating Action on Small Arms mechanism and of the International Ammunition Technical Guidelines.

National baseline inventories of small arms

46. Countries emerging from conflict face the challenge of rebuilding or transforming institutions throughout government and society. This is a long-term endeavour.[10] In the context of reassessing defence needs, arms and ammunition depots will need to be inventoried. Taking stock of arms and ammunition stockpiles will make it possible to define surpluses and needs, and thus provide a basis for measured and adequate approach to the acquisition of arms in the future.

47. The Group of Experts on Côte d'Ivoire has recommended that the Government of Côte d'Ivoire, in consultation with UNOCI, establish an inventory of all weapons and ammunition belonging to the Ivorian security forces (S/2013/228). The Panel of Experts on Liberia has noted that the Government of Liberia should conduct a needs-based assessment, with the assistance of UNMIL, for any future weapons purchases, and ensure that weapons purchased are strictly necessary for the security operations of its agencies (S/2013/316). In the context of the protection of civilians in armed conflict, the establishment of a baseline arms inventory, as well as arms marking and record-keeping systems in situations where a United Nations arms embargo coincides with disarmament, demobilization and reintegration efforts, has also been proposed (see S/PRST/2010/25, annex).

48. These are valuable suggestions. Countries emerging from conflict and wishing to make an inventory of their weapon stockpiles, in particular, could benefit from using the Register of Conventional Arms. Established in 1992, the Register makes available data on the import and export of arms, including small arms, provided voluntarily by States to the United Nations.[11] Importantly, States can include information on their military holdings in a standardized reporting format.

Recommendation 12

In the context of discussions on disarmament, demobilization and reintegration and security sector reform programmes, peace support operations or the imposition or lifting of an arms embargo, the Security Council may wish to call on relevant States to conduct an inventory of their weapons and then submit information on their national holdings for inclusion in the Register of Conventional Arms.

[10] The World Bank has estimated that it takes a generation to build adequate capacities and national institutions. See *World Development Report 2011: Conflict, Security and Development* (Washington, D.C., 2011). Available from http://siteresources.worldbank.org/INTWDRS/Resources/WDR2011_Full_Text.pdf.

[11] See www.un-register.org/NationalHoldings/Index.aspx.

III. Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Second United Nations Conference to Review Progress Made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

49. In my previous reports on small arms to the Council, I mentioned that a number of factors had impeded the full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. These included the lack of concrete benchmarks and numerical targets in the instruments, the lack of or insufficient acknowledgement of links between small arms and wider thematic issues such as development, armed violence and gender, and the difficulty of coordinating on cross-cutting aspects of small arms issues.

50. At the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, held from 27 August to 7 September 2012, a set of outcome documents that sought to address a number of the above issues directly were adopted by consensus. In the outcome document on the Programme of Action, the States participating in the Conference emphasized that the illicit trade in small arms and light weapons continued to exacerbate armed violence, undermine respect for international humanitarian law and international human rights law, aid terrorism and illegal armed groups and facilitate transnational organized crime, as well as trafficking in humans, drugs and natural resources. Moreover, they acknowledged that the illicit trade in small arms and light weapons impedes the provision of humanitarian assistance to victims of armed conflict, contributing to the displacement of civilians and undermining sustainable development and poverty eradication efforts (see A/CONF.192/2012/RC/4, annex I, sect. I, paras. 4 and 5). In addition, recommendations were made for addressing the security challenges faced by countries emerging from conflict. The participating States also encouraged the further development of mechanisms to increase the measurability and effectiveness of international cooperation and assistance (see A/CONF.192/2012/RC/4, annex I, sect. II, para. 5 (d)).

51. In the outcome document on the International Tracing Instrument, States undertook to cooperate with relevant United Nations bodies and missions, as well as with regional organizations, with respect to the tracing of illicit small arms and light weapons in accordance with the provisions of the Instrument (see A/CONF.192/2012/RC/4, annex II, para. (e)), opening the way for peacekeeping missions and other relevant entities to address further the issue of illicit small arms in their work. At the open-ended meeting of governmental experts on the Programme of Action held from 9 to 13 May 2011, some States indicated that their national authorities were responding to tracing requests from expert panels reporting to United Nations sanctions committees established by the Security Council (see A/66/157, annex). This is a welcome development, and I urge States to continue to enhance cooperation with relevant United Nations bodies, missions and expert panels with respect to the tracing of illicit small arms.

52. Furthermore, since small arms are typically traced through national police and other law enforcement agencies, United Nations police components in the field, regional and subregional police organizations and INTERPOL subregional bureaus, in particular, could play an important role in building the capacity of national authorities in the marking and tracing of weapons, record-keeping and stockpile security, as well as in the initiation of tracing requests through INTERPOL.

53. In this regard, INTERPOL has a range of tools (for example, the Illicit Arms Records and Tracing Management System) that can assist United Nations police components in the field, as well as national police and other law enforcement agencies, in this work. Furthermore, the Arrangement for Cooperation between the United Nations and INTERPOL in relation to the Security Council sanctions committees, supplementing a previous cooperation agreement between the two organizations, provides for enhanced exchange of information, including on documentation accumulated by monitoring groups that may be of use to the investigative authorities of Member States.

Recommendation 13

Taking into account the significant role that international, regional and subregional organizations and civil society play in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (see sects. II and III of the Programme of Action (A/CONF.192/15, Chap. IV)), I urge Member States to enhance cooperation with these entities in order to continue to implement fully the Programme of Action, as well as the outcome documents of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action.

Recommendation 14

Police components of United Nations peacekeeping operations, relevant regional and subregional police organizations and INTERPOL subregional bureaus should cooperate with and enhance the existing capacities of national police and other law enforcement agencies with regard to the marking, record-keeping and tracing of small arms and ammunition, and implement stockpile security measures in accordance with global and regional standards.

Recommendation 15

Member States are encouraged to cooperate with relevant international, regional and subregional organizations with regard to sharing information for the tracing of illicit weapons and to use the Illicit Arms Records and Tracing Management System of INTERPOL, which is a global firearms database, in their weapons tracing efforts, in addition to the INTERPOL Firearms Trace Request System. United Nations peacekeeping operations, in collaboration with INTERPOL national central bureaus, could do so as well.

Assistance to Member States for the implementation of the Programme of Action and on small arms-related issues

54. Since my previous report on small arms, United Nations entities have continued to provide Member States with technical assistance in the area of small arms control, including for the following: the conduct of national small arms surveys; the development of domestic legislative frameworks; building capacity for border control and law enforcement cooperation; raising awareness of the hazards associated with small arms; the elaboration of national action plans on small arms control; the collection and destruction of illicit, surplus and unwanted weapons; the marking, record-keeping and tracing of weapons; and the management of stockpiles of small arms and ammunition.

55. The Executive Directorate of the Counter-Terrorism Committee, the United Nations Counter-Terrorism Centre of the Counter-Terrorism Implementation Task Force and the Department of Political Affairs have launched an integrated counter-terrorism strategy that addresses, among other issues, the non-proliferation of small arms and light weapons in Central Africa, in collaboration with subregional and regional organizations. The Executive Directorate and the Centre are also supporting countries of the Sahel and the Maghreb in developing subregional plans to collect and destroy illicit small arms, on the basis of the conference on border control cooperation in the Sahel and the Maghreb held in Rabat in March 2013.

56. In 2012, the Mine Action Service of the United Nations initiated the implementation of the International Ammunition Technical Guidelines in several countries. The United Nations Office on Drugs and Crime (UNODC) launched a global firearms programme in Latin America to promote the ratification and implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, by providing legislative and technical assistance to Member States. Additionally, the United Nations Development Programme (UNDP) and the United Nations Children's Fund have been working in numerous countries to prevent armed violence and enhance control of small arms and light weapons through different projects. UNDP has also provided support to countries in conflict and countries with high levels of armed violence to strengthen the rule of law, reduce armed violence and increase citizen and community security, thus ensuring that efforts to control small arms are complemented by actions that address the demand for small arms and the underlying causes of violence.

57. The Office for Disarmament Affairs, through its three regional centres for peace and disarmament (for Africa, Asia and the Pacific, and Latin America and the Caribbean) and in collaboration with other United Nations agencies, including UNDP and UNODC, has assisted Member States in Africa, Asia and the Pacific, and Latin America and the Caribbean in several areas. These include the development of regional strategies or national action plans on small arms and light weapons; the review and updating of national legislation on small arms and light weapons; the provision of technical standards and standard operating procedures for arms control based on the International Ammunition Technical Guidelines and the International Small Arms Control Standards; the training of security forces on stockpile management, the destruction, marking and tracing of weapons and brokering controls; and the provision of technical equipment. These efforts have sought to integrate cross-cutting issues such as women, gender, children and youth, armed violence, border control and maritime security into small arms and light weapons control measures.

Coordinating Action on Small Arms, a United Nations inter-agency mechanism

58. Since my last report, the United Nations system has taken further steps towards policy coordination, mainly through the Coordinating Action on Small Arms mechanism, which is the United Nations inter-agency task force on small arms. The mechanism has enhanced its coordinating capacity, including through the development of the International Small Arms Control Standards, which are streamlining policymaking, programming and practice on small arms and light weapons control across the Organization. The small arms-focused Programme of Action Implementation Support System, an online platform (www.poa-iss.org/poa/poa.aspx), also facilitates information-sharing on small arms issues among entities of the United Nations system and States, as well as civil society. Moreover, the platform supports States' efforts to match assistance needs with resources available for combating illicit small arms.

IV. Observations

59. I welcome the recent positive developments that have taken place at the global level on the regulation of small arms. The adoption of outcome documents at the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, held in 2012, is an indication of the continued commitment of States to combat the illicit trade in small arms. Furthermore, the adoption of the Arms Trade Treaty by the General Assembly in 2013 is a historic step in addressing the problems relating to the unregulated trade of arms and ammunition and their diversion to the illicit market.

60. It is crucial that the issue of illicit small arms be increasingly highlighted in peacekeeping and peacebuilding missions. Doing so is of particular importance since these missions provide a force multiplier on the ground in combating illicit arms through disarmament, demobilization and reintegration and security sector reform programmes, as well as in promoting the rule of law.

61. Despite the efforts of the international community, concerns regarding the unregulated use of arms persist. In some regions, arms are the basis for lucrative

private maritime security enterprises, which may augment the already high demand for arms and result in increasing the insecurity of the local population and of commercial vessels transiting through the area.

62. Addressing the challenge of the proliferation and misuse of arms and ammunition, particularly in conflict and post-conflict areas, requires that the United Nations, Member States, international and regional organizations, non-governmental organizations and the private sector enhance cooperation and find greater synergies in their work.

63. The Security Council has the capacity to play an even stronger role in addressing the issue of illicit small arms, in particular by putting in place measures to enhance the effectiveness of arms embargoes and arms embargo monitoring, by strengthening the mandates of peacekeeping missions to address illicit small arms and by encouraging greater information exchange between expert groups under its purview and relevant small arms mechanisms in the United Nations.

United Nations S/2013/504

Security Council

Distr.: General
2 August 2013

Original: English

Report of the Secretary-General concerning the credentials of the representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials signed on 2 August 2013 by the Secretary of State of the United States of America, stating that Ms. Samantha Power has been appointed representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

13-43893 (E) 230813

Please recycle